IFW

PATENT
Attorney Docket No.: **KNAUTHE-09734**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Gabriele Multhoff	Group No.:1615
Serial No.:	10/526,586	Examiner:
Filed:	12/12/2005	
Entitled:	**Use of Granzyme B as an HSP70/HSP70 Peptide Dependent Inducer of Apoptosis in Tumor Cells**	

REQUEST FOR CORRECTION OF FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: February 9, 2006 By: _____
Jasmine M. Stansberry

Sir or Madam:

The information shown on the attached Filing Receipt contains an error:

1. The Filing Receipt currently lists the title "Use Of **Granme** B As An HSP70/HSP70 Peptide Dependent Inducer Of Apoptosis In Tumor Cells". The *correct* title should be **"Use of Granzyme B As An HSP70/HSP70 Peptide Dependent Inducer Of Apoptosis In Tumor Cells"**. (See attached copy of first page of Specification of Application and Incorrect Filing Receipt).

Applicant(s) hereby request(s) that the Filing Receipt be corrected accordingly.

Respectfully submitted,

Date: February 9, 2006

_____
J. Mitchell Jones
Registration No. 44,174

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900

UNITED STATES PATENT AND TRADEMARK OFFICE

MAD

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/526,586	12/12/2005	1615	1195	KNAUTHE-09734	9	24	5

CONFIRMATION NO. 3810

FILING RECEIPT

OC000000017939176

J Mitchell Jones
Medlen & Carroll
101 Howard Street
Suite 350
San Francisco, CA 94105

Date Mailed: 01/30/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Gabriele Multhoff, Munchen, GERMANY;

Power of Attorney:

John Jones--44174

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/09341 08/22/2003

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 020182846 08/23/2002

Projected Publication Date: 05/11/2006

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

PRIOR ART STATEMENT DUE 3 MONTHS 5/23/05
FOREIGN FILING LETTER DUE
6 MONTHS UTILITY / 3 MONTHS DESIGN
FOREIGN FILING DEADLINE
12 MONTHS UTILITY / 6 MONTHS DESIGN
TWENTY-ONE MONTHS SUSPENSE DATE 11/23/06
eCO

Should be "granzyme"

Use of granme b as an hsp70/hsp70 peptide dependent inducer of apoptosis in tumor cells

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Use of granzyme B as an Hsp70/Hsp70 peptide dependent inducer of apoptosis in tumor cells

The present invention relates to a method of inducing or enhancing the expression of granzyme B in natural killer (NK) cells. The present invention relates also to a use of said NK cells for the preparation of a pharmaceutical composition for the treatment of tumors, viral or bacterial infections or inflammatory diseases. Further, the present invention relates to the use of granzyme B for the treatment of tumors, viral or bacterial infections or inflammatory diseases, wherein the tumor cells or the cells affected by said infection or inflammation express Hsp70 on their cell surface.

A variety of documents is cited throughout this specification. The disclosure content of said documents is herewith incorporated by reference.

Elevated cytoplasmic levels of heat shock protein 70 (Hsp70) have been found to protect tumor cells against programmed cell death (Nylandsted et. al. (2000) Ann. N.Y. Acad. Sci. 926, 122). Hsp70 is the major stress inducible form of the heat shock protein family (HSP), which is primarily located in the cytosol. Evidence accumulated during recent years has demonstrated that extracellular localized and plasma membrane-bound HSPs are highly immunogenic and expose the cells to immune attack (Schild et. al. (1999) Current Opinion in Immunology 11, 109). Following receptor-mediated uptake (Arnold-Schild et. al. (1999) J. Immunol. 162, 3757) and re-presentation by antigen presenting cells (APC), HSP-chaperoned peptides elicit a cytotoxic, $CD8^+$ T cell response (Suto et. al. (1995) *Science* 269, 1585). Several receptors, including CD91 and toll-like receptors 2 and 4 (TLR2/4),